



Advocate

OFFICE OF CRIME VICTIMS ADVOCACY
QUARTERLY NEWSLETTER

Serving as a voice within state government for crime victims and their families

VOCA Plan Signals New Era for Crime Victim Services

The Office of Crime Victims Advocacy is excited to receive VOCA General Crimes Grant applications from statewide regions at the end of the month. Once these applications are reviewed and approved, funding can be awarded to usher in a new chapter in crime victim services across the state of Washington.

Previously, victims of general crimes—that is, crimes exclusive of domestic violence or sexual assault—had to compete for funds for services aimed at helping those victims heal from the sometimes-traumatic results of crime. Now, however, OCVA is pleased to embark on a bold adventure of establishing a statewide delivery system for general crime victims.

General crimes victims will soon receive necessary services as the Washington State Strategic Plan for Victim Services, July 2005, is implemented with funding beginning in January 2006.

“It is now time to respond to the needs of victims of other crimes,” according to Bev Emery, Managing Director of OCVA, who was a member of the steering committee that drafted the Strategic Plan for Victim Services.

This plan provides a developmental framework to guide services for victims of general crimes, such as assault, robbery, child abuse, vehicular homicide or assault, and property crimes,

because “...all crime victims should have access to high quality, culturally appropriate, victim-centered services.”¹ Unfortunately, there has been a lack of state funding for services for these types of crime victims in the past.

Beginning January, though, Crime Victim Service Centers will provide coordinated, seamless services to general crimes victims in Washington State. These Service Centers will focus completely on the victim—what s/he needs, according to the victim and unique to each victim. All crime victims will be eligible for services whether the crime is reported, prosecuted, or not.

Victims will have access to comprehensive, culturally appropriate services and to information about how to get necessary services. Services will

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be accessible to those with disabilities and translation or interpretation needs.

The Office of Crime Victims Advocacy visualizes Crime Victim Service Centers as “collaborative efforts developed within each region to ensure the availability of essential, culturally appropriate services for crime victims. The Centers are envisioned as embodying working relationships among service providers within a region.”²

Background Information about the Strategic Plan for Victim Services

A multi-disciplinary team of state leaders developed the Washington State Strategic Plan for Victim Services with input from victims of crime, law enforcement, the courts, the corrections system, and both system-based and community-based victim service providers.

The Strategic Plan steering committee convened at Washington, D.C. in December 2003 to begin the process of developing a plan that would enable every crime victim to access services in Washington. General crime victim services were historically scattered and inconsistent at that time, partly because there was no state funding specifically aimed at general crimes.

The federal funding source backing this effort derives from the Crime Victims Fund, established by the Victims of Crime Act (VOCA) in 1984, which receives the deposits of fines and penalties levied against federal criminals. This federal VOCA funding program

is not new, but the way Washington will now distribute this funding is innovative and exciting.

At the federal level, VOCA funding is divided between victim compensation programs and victim assistance programs. The Washington State Department of Labor and Industries administers victim compensation programs. Historically, the Washington State Department of Social and Health Services has administered victim assistance programs. The competitive basis by which DSHS awarded VOCA funds resulted in substantial and unacceptable gaps in service in certain areas. This led to DSHS’ interest in developing a strategic plan.

OCVA will now administer the portion of VOCA funding targeting victim assistance programs, dividing the dollars equally among sexual assault programs, domestic violence programs, and general crime victims programs.

The funds will be distributed regionally in proportion to the population and geographic dimensions of each region as they compare to other regions in Washington.

The Vision:

“In Washington, all crime victims have access to what they need, when they need it.”

*Washington State Strategic Plan for Victim Services
Steering Committee*

General Guidelines for Crime Victim Service Center Development

The Strategic Plan for Victim Services provides the framework necessary for state regions to develop their individual plans for crime victim services. OCVA realizes that VOCA funding levels remain insufficient for covering all victim services, but “the creation of regional Crime Victim Service Centers is viewed as a key strategy for efforts to build support for additional public and private investment in needed services.”³ Hopefully, the strong

foundation of collaborative, planned services laid by a VOCA General Crimes Grant will encourage other entities to build and invest in their regions.

Each region's Crime Victim Service Center will be uniquely structured, but must contain the following core services: 24-hour crisis intervention, legal advocacy, systems advocacy, and information about available services. Other services such as medical advocacy, general advocacy, support groups, therapy, and counseling are also eligible services if the required set of core services is employed. Examples of ineligible services include lobbying, perpetrator treatment, administration, and other indirect charges.

OCVA facilitators are available to help regions in the process of drafting a plan that meets requirements for the General Crimes Grant applications due November 30. Applications and other information about VOCA are available on OCVA's website at www.ocva.wa.gov.

Regions are required to submit only one Crime Victim Service Center plan, but the lead agency that submits the application to OCVA can subcontract with other service providers.

Regardless of the organizational structure, the Crime Victim Service Center will be a collaborative and regional effort to ensure the availability of both immediate and sustained support for adults, adolescents, and child victims of general crimes."⁴

Contracts and service delivery awarded by the VOCA General Crimes Grant will begin January 1, 2006. Regions will receive twelve months' worth of contract funding in the first nine months to help with additional start-up costs. Then, the contracts will be extended automatically for an additional twelve months. After the initial 21-month period, regions will reapply on a typical federal funding cycle.

This is an exciting time at OVCA and for

Upcoming Training Events

Washington Coalition of Sexual
Assault Programs

Therapist Core Training

November 14-16, 2005
Spokane

March 13-15, 2006
Olympia

Contact WCSCAP for more information at
(360) 754-7583 or www.wcsap.org

Washington State Coalition Against
Domestic Violence

Training on Advocacy Based Counseling (ABC) for New Advocates

November 15-16, 2005
Tacoma

Contact WSCADV for more information at
(206) 389-2515 or www.wscadv.org

victims of crime across Washington. "This is what we're going to build so that every county and community has access to crime victims' services, in not just sexual assault and not just domestic violence, but in all crime categories... If we do this well, this plan will enable you to deliver services that will be effective and helpful."⁵

A Report of the Domestic Violence Task Force

The Domestic Violence Task Force released a report recently, entitled “The Impact of Domestic Violence on Children in Thurston County,”¹ supported by the Thurston County Network. A brief synopsis of the report and its recommendations follows:

The Domestic Violence Task Force estimates that as many as 5,000 to 10,000 children in Thurston County could be witnessing violence in their homes yearly. Yet “there is not a community norm regarding the acceptability or responsibility for domestic violence—it is still largely viewed as a private matter that should not require community ‘interference.’”

“We can no longer let the children suffer in silence,” implores the Task Force.

***“We can no longer
let the children suffer in silence.”***

The report asserts that children exposed to domestic violence are very likely to experience behavioral, social, emotional, cognitive, attitudinal, and other long-term problems.

With the goal to develop a plan to meet the needs of children who witness domestic violence in Thurston County, the task force looked at the impact of domestic violence on children from criminal justice, social service, education, and health care perspectives.

The task force outlines three priority actions:

1. Develop a common definition of domestic violence to be used by all law enforcement jurisdictions and social service professionals in Thurston County, change the reporting forms used by law enforcement jurisdictions, and provide training to ensure consistent collection of data.
2. Provide training to law enforcement

personnel, social service providers, and school personnel regarding the common definition of domestic violence, the signs of impact on children, and appropriate responses in serving the family and children.

3. Develop a coordinated, consistent re-

sponse, screening and referral system for children who witness or are exposed to domestic violence, much like we have done for young victims of sexual assault.

“It’s time to determine the full scope of the problem, develop a coordinated community response for families and children impacted by domestic violence, develop community resources that can help families cope with the impact of this violence, and help children stay safe and learn to break the cycle of violence in their lives. We cannot wait any longer.”



Domestic Violence and Returning Veterans

On November 1, 2005, a Symposium on the Needs of Returning War Zone Veterans and Their Families was co hosted by The Washington Family Policy Council and the Department of Veterans Affairs in Vancouver, Washington.

Survival skills developed in the war zone can be problematic once a veteran returns home. Researchers and presentations indicated a strong relationship between post-traumatic stress disorder and increased domestic violence perpetration among veterans.

In its recently published document, “Welcome Home! How to Make a Difference in the Lives of Returning War Zone Veterans: Guidance on Creating Community Conditions to Ensure a Safe and Healthy Transition to Family, Work & Community Life, November, 2005,” the Family Policy Council maintains that “study after study confirms that a strong social network of friends, neighbors, employers, and people with similar interests in the community makes the transition home easier and healthier. Everyone can play a helpful role in strengthening the social network of a returning veteran,”¹ such as by providing material support, helping with tasks and projects, sharing and giving advice, and providing opportunities for positive interactions.

The “Welcome Home!” document gives concrete examples of strategies that family, friends and neighbors; employers, clergy and faith leaders, lawyers and judges, fellow veterans, educators, healthcare and social service providers, media, and first responders can try to help make this transition easier for the returning serviceman or servicewoman.

The Washington State Department of Veterans

Affairs provides benefits to servicemen and their families. Contact (800) 562-2308 or www.dva.wa.gov for more information.

Additionally, state law regarding veteran relief (RCW 73.08) was recently amended to allow Washington counties access to funding from the County Veterans Coalition (CVC) of Washington State and provide relief services for veterans and their families. Counties can tailor local programs to meet emerging needs of veterans. For more information, go to cvcwashington.org/veterans.

The official policy of the Department of Defense does not tolerate domestic violence, yet there have been five murders at Fort Lewis reportedly.

There are many opportunities for the military to educate potential victims of domestic violence, such as during times when servicemen are deployed or just prior to their return. Since the military already has a strong base of family support systems that provide help to spouses during times of deployment, these systems could also provide information about what steps to take if violence is experienced, contact numbers for local domestic violence service providers, and information about legal rights. More is needed from the military to protect domestic victims of violent servicemen.

Whether or not veterans experience PTSD is not an excuse for emergent domestic violence in the homes of returning service members. Substantive improvements are necessary to address domestic violence from the military spouse victim’s perspective, to provide information, intervention, advocacy and counseling services, and to prevent future violence.

2005 Moving Mountains Awardees

OCVA recognizes and celebrates the extraordinary achievements—the moving of mountains—of these agencies and individuals that serve victims of violence in communities throughout Washington.

Abused Deaf Women's Advocacy

Services: in recognition of 25 years of service and innovation in its work with abused deaf and deaf-blind women and children.

Ethnic Support Center: for its willingness to trust and to build a true partnership to better serve the Hispanic community in Cowlitz county.

Shelly Bedolla: in recognition of her commitment to and sacrifice on behalf of an individual victim survivor who needed her translation services.

Arlene Red Elk: for the passion, commitment, and expertise she has long-demonstrated for improving service delivery within the Native American community.

Families and Friends of Violent Crime

Victims: for persistence and perseverance in moving mountains of resistance in the legislative process and increasing public understanding of the needs and rights of crime victims.

Victoria Roberts: for her vision of corrections acting in partnership with the victim community and having a common goal of no more victims.

Changes in the air at OCVA:

Welcome, Oriana.....Farewell, Ann.....

OCVA gladly welcomes **Oriana Lewis** to its treasured ranks of advocates. Oriana now fills the role of Sexual Assault Program Coordinator and comes to us from Stonewall Youth in Olympia and Oasis Youth Center in Tacoma. She has 12 years of domestic violence/sexual assault advocacy experience.

Sadly, this means we also must bid fond farewell to **Ann Novakowski** and wish her the best of luck in her new goals. Ann is excited by her plans to return to school, but we'll still miss her.

Another Loophole Must be Filled ♦ ♦ ♦ ♦ ♦

Local Insurance Company Becomes a Stumbling Block for Victim



Normally we believe that purchasing insurance protects us financially from unforeseen events and accidents. When we pay for insurance, we believe that if some sort of accident occurs in our home, in our car, or somewhere else then we will be compensated and our expenses will be covered. This was not true for a local Seattle driver recently.

The driver was involved in a head-on collision with a car that was intentionally rammed by another in a fit of vehicular domestic violence. A man rammed his car into his girlfriend's car, forcing her into the oncoming lane of traffic and causing the collision. Seeking compensation, the driver of the other car filed a claim with her insurance company.

The insurance company initially denied her claim because it viewed the collision as an intentional act by the man and, therefore, it was not an accident. To explain its position, the company cited a 1990 Pierce County case in which a woman purposely drove into a car driven by her ex-husband. In that case, the state Supreme Court sided with the insurance company, ruling that it was not liable because the intended outcome of the act was not unexpected or unforeseen.

Apparently, the Washington State Insurance Commissioner's office intervened on the victim's behalf, and the insurance company is

now covering the claim.

At the crux of the problem is the lack of a statutory definition of the term "accident". To alleviate this type of claim denial in the future, the insurance commissioner plans to introduce legislation that better defines the term "accident" as an occurrence which is unexpected and unintended from the standpoint of the covered person.

In the past, the Legislature has been responsive to the plight of victims when insurance companies have used legal loopholes to avoid paying claims. For example, in 1997 legislation was passed to prohibit insurance companies from denying the claims of victims of domestic violence, in response to the denial of a homeowner's insurance claim by a woman whose estranged husband burned down her house. Had this case not received media attention, one must wonder if the insurance company would have ultimately paid the claim.

In our roles as advocates for victims, it is our responsibility to be vigilant of these situations and take action when such abuses come to our attention. Advocacy requires us to speak for victims when they cannot, and we must pursue the avenues that create change through media attention, legislative remedies, policy change and tenacity. Without our diligent efforts and perseverance, troubling abuses such as these by insurance companies will continue to occur.

INFORMATION

The Office of Crime Victims Advocacy serves as a voice within state government for the needs of crime victims in Washington State.

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Endnotes

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¹ State of Washington, *Washington State Strategic Plan for Victim Services*, July 2005. Prepared by Technical Assistance for Community Services. 1.

² Crime Victim Services Strategic Plan Newsletter. <http://www.tacs.org/wsvs/5/index.html>.

³ Ibid, p. 2.

⁴ Office of Crime Victims Advocacy, *VOCA General Crimes Grant: Victims of Crime Act Application for FFY 2005 Funding*. 7.

⁵ Emery, Bev. Informational Meeting about VOCA Strategic Plan in Tacoma, WA, August 26, 2005. Available at <http://www.tvwv.org>.

A Report of the Domestic Violence Task Force

Domestic Violence Task Force, *The Impact of Domestic Violence on Children in Thurston County*, September 2005. Supported by the Thurston Community Network.

Domestic Violence and Returning Veterans

Family Policy Council, *Welcome Home! How to Make a Difference in the Lives of Returning War Zone Veterans*, November 2005. 1.

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